

“(1) to any issuer of securities to which section 30A of the Securities Exchange Act of 1934 applies; or

“(2) to any domestic concern to which section 104 of this Act applies.

“(g) DEFINITIONS.—For purposes of this section—

“(1) the term—

“(A) ‘foreign official’ means any officer or employee of a foreign government or any department, agency, or instrumentality thereof, or of a public international organization, or any person acting in an official capacity for or on behalf of any such government or department, agency, or instrumentality, or for or on behalf of any such public international organization; and

“(B) ‘public international organization’ means an organization that has been designated by Executive order pursuant to section 1 of the International Organizations Immunities Act (22 U.S.C. 288);

“(2) the state of mind of a covered person is ‘knowing’ with respect to conduct, a circumstance, or a result if—

“(A) such covered person is aware that such covered person is engaging in such conduct, that such circumstance exists, or that such result is substantially certain to occur; or

“(B) such covered person has a firm belief that such circumstance exists or that such result is substantially certain to occur;

“(3) if knowledge of the existence of a particular circumstance is required for an offense, such knowledge is established if a covered person is aware of a high probability of the existence of such circumstance, unless the covered person actually believes that such circumstance does not exist;

“(4) the term ‘covered person’ means—

“(A) any natural person, other than a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act); and

“(B) any corporation, partnership, association, joint-stock company, business trust, unincorporated organization, or sole proprietorship that is organized under the law of a foreign nation or a political subdivision thereof; and

“(5) the term ‘routine governmental action’—

“(A) means only an action that is ordinarily and commonly performed by a foreign official—

“(i) in obtaining permits, licenses, or other official documents to qualify a person to do business in a foreign country;

“(ii) in processing governmental papers, such as visas and work orders;

“(iii) in providing police protection, mail pickup and delivery, or scheduling inspections associated with contract performance or inspections related to transit of goods across country;

“(iv) in providing phone service, power and water supply, loading and unloading cargo, or protecting perishable products or commodities from deterioration; or

“(v) in actions of a similar nature to those referred to in clauses (i) through (iv); and

“(B) does not include any decision by a foreign official regarding whether, or on what terms, to award new business to or to continue business with a particular party, or any action taken by a foreign official involved in the decisionmaking process to encourage a decision to award new business to or continue business with a particular party.”.

TECHNOLOGY ADMINISTRATION AUTHORIZATION ACT FOR FISCAL YEARS 1998, 1999 AND 2000

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 388, S. 1325.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1325) to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998 and 1999, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This title may be cited as the “Technology Administration Authorization Act for Fiscal Years 1998 and 1999”.]

This Act may be cited as the Technology Administration Authorization Act for Fiscal Years 1998, 1999, and 2000.

SEC. 2. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term “Director” means the Director of the National Institute of Standards and Technology.

(2) MAJOR REORGANIZATION.—With respect to the National Institute of Standards and Technology, the term “major reorganization” means any reorganization of the Institute that involves the reassignment of more than 25 percent of the employees of the National Institute of Standards and Technology.

(3) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.

(a) LABORATORY ACTIVITIES.—There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the Scientific and Technical Research and Services laboratory activities of the National Institute of Standards and Technology—

(1) [\$278,352,000 for fiscal year 1998; and] \$271,900,000 for fiscal year 1998;

(2) \$287,658,000 for fiscal year [1999.] 1999; and

(3) \$296,287,000 for fiscal year 2000.

(b) CONSTRUCTION AND MAINTENANCE.—

(1) IN GENERAL.—There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for construction and maintenance of facilities of the National Institute of Standards and Technology—

(A) [\$16,692,000 for fiscal year 1998; and] \$95,000,000 for fiscal year 1998;

(B) \$67,000,000 for fiscal year [1999.] 1999; and

(C) \$56,700,000 for fiscal year 2000.

(2) PROHIBITION.—None of the funds authorized by paragraph (1)(B) for construction of facilities may be obligated unless the Secretary of Commerce has certified to the

Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives that the obligation of funds is consistent with a plan for meeting the needs of the facilities of the National Institute of Standards and Technology that the Secretary has transmitted to those committees.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE OFFICE OF THE UNDER SECRETARY FOR TECHNOLOGY.

There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the activities of the Under Secretary for Technology, the Office of Technology Policy, and the Office of Air and Space Commercialization (as established under section 415 of this title)—

(1) [\$9,230,000 for fiscal year 1998; and] \$8,500,000 for fiscal year 1998;

(2) \$10,807,400 for fiscal year [1999.] 1999; and

(3) \$11,132,000 for fiscal year 2000.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR INDUSTRIAL TECHNOLOGY SERVICES.

There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the industrial technology services activities of the National Institute of Standards and Technology—

(1) [\$309,040,000] \$306,000,000 for fiscal year 1998, of which—

(A) [\$198,000,000] \$192,500,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) [\$111,040,000] \$113,500,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l); [and]

(2) \$318,371,000 for fiscal year 1999, of which—

(A) \$204,000,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$114,371,000 shall be for the manufacturing extension partnerships program under sections [5] 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and [278l].] 278l); and

(3) \$324,491,000 for fiscal year 2000, of which—

(A) \$210,120,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$114,371,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

SEC. 6. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT AMENDMENTS.

(a) AMENDMENTS.—Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “(A)” after “(1)”;

(ii) by inserting “and be of a nature and scope that would not be pursued in a timely manner without Federal assistance” after “technical merit”; and

(iii) by adding at the end the following:

“(B) Each applicant for a contract or award under the Program shall certify that the applicant has made an effort to secure private market funding for the research project involved. That certification shall include a written narrative description of the efforts made by the applicant to secure that funding.”; and

(B) by adding at the end the following:

“(12) A large business may participate in a research project that is the subject of a contract or award under paragraph (3) only as a

member of a joint venture that includes 1 or more small businesses as members.”;

(2) in subsection (j)—

(A) by striking “and” at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (5); and

(C) by inserting after paragraph (1) the following:

“(2) the term ‘large business’ means a business that—

“(A) is not a small business; and

“(B) has gross annual revenues in an amount greater than \$2,500,000,000;

“(3) the term ‘medium business’ means a business that—

“(A) is not a small business; and

“(B) has gross annual revenues in an amount less than or equal to \$2,500,000,000;

“(4) the term ‘small business’ means a small business concern, as described in section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)); and”;

(3) by redesignating subsection (j) as subsection (m); and

(4) by inserting after subsection (i) the following:

“(j) Notwithstanding subsection (b)(1)(B) and subsection (d)(3), the Director may grant an extension beyond the applicable deadline specified in subsection (b)(1)(B) or (d)(3) for a joint venture or single applicant recipient of assistance to expend Federal funds to complete the project assisted with that assistance, if that extension—

“(1) is granted with no additional cost to the Federal Government; and

“(2) is in the interest of the Federal Government.

“(k)(1) The Secretary, acting through the Director, may vest title to tangible personal property in any recipient of financial assistance under this section if—

“(A) the property is purchased with funds provided under this section; and

“(B) the Secretary, acting through the Director, determines that the vesting of such property furthers the objectives of the Institute.

“(2) Vesting under this subsection shall—

“(A) be subject to such limitations as are prescribed by the Secretary, acting through the Director; and

“(B) be made without further obligation to the United States Government.

In carrying out this section, the Secretary, acting through the Director, shall ensure that the requirements of Circular No. A-110 issued by the Office of Management and Budget are met with respect to the valuation of cost-share items used by participants in the [Program.] Program.

“(1) AWARDS BASED ON COMPETITION.—All amounts appropriated for grants under subsection (b) for fiscal years beginning after the date of enactment of the Technology Administration Authorization Act for Fiscal Years 1998, 1999, and 2000 shall be used for grants awarded on the basis of general open competition.”.

(b) ADDITIONAL AMENDMENT.—

(1) IN GENERAL.—Section 28(d)(11)(A) of the National Institute of Standards and Technology Act (15 U.S.C. 278n(d)(11)(A)) is amended by striking the period at the end of the first sentence and inserting the following: “or any other university or nonprofit awardee or subawardee (as those terms are defined by the Secretary) receiving financial assistance under this section, as agreed by the parties, notwithstanding the requirements of chapter 18 of title 35, United States Code.”.

(2) APPLICABILITY.—The amendment made by this subsection shall apply only with respect to assistance for which solicitations for proposals are made after the date of enactment of this title.

SEC. 7. MANUFACTURING EXTENSION PARTNER-SHIP PROGRAM CENTER EXTENSION.

Section 25(c)(5) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(c)(5)) is amended by striking “, which are designed” and all that follows through “operation of a Center.” and inserting “. After the sixth year, a Center may receive additional financial support under this section if that Center has received a positive evaluation through a review, under procedures and criteria established by the Institute. The review referred to in the preceding sentence shall be required not later than 2 years after the sixth year, and not less frequently than every 2 years thereafter. The funding received by a Center for a fiscal year under this section after the sixth year of operation shall be for capital and annual operating expenses and maintenance costs. The proportion of funding that the Center receives after the sixth year of operation from funds made available to carry out this section for the costs referred to in the preceding sentence shall not exceed the proportion of that funding received by the Center for each of those costs during the sixth year of operation of the Center.”.

SEC. 8. MALCOLM BALDRIGE NATIONAL QUALITY AWARD.

Section 17(c)(1) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3711a(c)(1)) is amended by adding at the end the following:

“(D) Health care providers.

“(E) Education providers.”.

SEC. 9. NEXT GENERATION INTERNET.

(a) IN GENERAL.—Except as provided in subsection (b), none of the funds authorized by this title, or any other Act enacted before the date of enactment of this Act, may be used for the programs and activities for the Internet project known as the “Next Generation Internet”.

(b) EXCEPTION.—Notwithstanding subsection (a), funds described in that subsection may be used for the continuation of programs and activities related to Next Generation Internet that were funded and carried out during fiscal year 1997.

SEC. 10. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds appropriated pursuant to the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Committees on Appropriations of the Senate and the House of Representatives, notice of that action shall concurrently be provided to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

(b) NOTICE OF REORGANIZATION.—Not later than 15 days before any major reorganization of any program, project, or activity of the National Institute of Standards and Technology, the Director shall provide notice to the Committees on Commerce, Science, and Transportation and Appropriations of the Senate and the Committees on Science and Appropriations of the House of Representatives.

SEC. 11. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 rapidly approaching, it is the sense of Congress that the Director should—

(1) give high priority to correcting all 2-digit date-related problems in the computer systems of the National Institute of Standards and Technology to ensure that those systems continue to operate effectively in the year 2000 and in subsequent years;

(2) as soon as practicable after the date of enactment of this title, assess the extent of the risk to the operations of the National In-

stitute of Standards and Technology posed by the problems referred to in paragraph (1), and plan and budget for achieving compliance for all of the mission-critical systems of the system by the year 2000; and

(3) develop contingency plans for those systems that the National Institute of Standards and Technology is unable to correct by the year 2000.

SEC. 12. ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS.

(a) DEFINITIONS.—In this section—

(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term “educationally useful Federal equipment” means computers and related peripheral tools and research equipment that is appropriate for use in schools.

(2) SCHOOL.—The term “school” means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

(b) SENSE OF CONGRESS—

(1) IN GENERAL.—It is the sense of Congress that the Director should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

(2) REPORTS—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Director shall prepare and submit to the President a report. The President shall submit the report to Congress at the same time as the President submits a budget request to Congress under section 1105(a) of title 31, United States Code.

(B) CONTENTS OF REPORT.—The report prepared by the Director under this paragraph shall describe any donations of educationally useful Federal equipment to schools made during the period covered by the report.

SEC. 13. TEACHER SCIENCE AND TECHNOLOGY ENHANCEMENT INSTITUTE PROGRAM.

(a) IN GENERAL.—The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by inserting after section 19 the following:

“SEC. 19A. (a) The Director shall establish within the Institute a teacher science and technology enhancement program.

“(b) The purpose of the program under this section shall be to provide for professional development of mathematics and science teachers of elementary, middle, and secondary schools (as those terms are defined by the Director), including providing for the improvement of those teachers with respect to the teaching of science—

“(1) teaching strategies;

“(2) self-confidence; and

“(3) the understanding of science and the impacts of science on commerce.

“(c) In carrying out the program under this section, the Director shall focus on the areas of—

“(1) scientific measurements;

“(2) tests and standards development;

“(3) industrial competitiveness and quality;

“(4) manufacturing;

“(5) technology transfer; and

“(6) any other area of expertise of the Institute that the Director determines to be appropriate.

“(d) The Director shall develop and issue procedures and selection criteria for participants in the program. Each such participant shall be a teacher described in subsection (b).

“(e) The Director shall issue awards under the program to participants. In issuing the awards, the Director shall ensure that the maximum number of participants practicable participate in the program. In order

to ensure a maximum level of participation of participants, the program under this section shall be conducted on an annual basis during the summer months, during the period of time when a majority of elementary, middle, and secondary schools have not commenced a school year.

"(f) The program shall provide for teachers participation in activities at the Institute laboratory facilities of the Institute."

(b) AVAILABILITY OF FUNDS.—The following amounts of the funds made available by appropriations pursuant to section 3(a) shall be used to carry out the teacher science and technology enhancement program under section 19A of the National Institute of Standards and Technology, as added by subsection (a) of this section:

- (1) \$1,500,000 for fiscal year 1998.
- (2) \$2,500,000 for fiscal year 1999.

SEC. 14. JOINT STUDY BY THE NATIONAL ACADEMY OF SCIENCE AND THE NATIONAL ACADEMY OF ENGINEERING.

(a) IN GENERAL.—

(1) CONTRACT.—Not later than 90 days after the date of enactment of this title, the Secretary of Commerce shall enter into a contract with the National Academy of Science and the National Academy of Engineering to provide for a joint study to be conducted by those academies under this section.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to apply the Federal Advisory Committee Act (5 U.S.C. App.) to the National Academy of Science or the National Academy of Engineering.

(b) STUDY PANEL.—In carrying out the study under this section, the appropriate officials of the National Academy of Science and the National Academy of Engineering shall establish a study panel. The members appointed to the study panel shall include—

- (1) industry and labor leaders;
- (2) entrepreneurs;
- (3) individuals who—

(A) have previously served as government officials; and

(B) have recognized expertise and experience with respect to civilian research and technology; and

(4) individuals with recognized expertise and experience with respect to science and technology, including individuals who have had experience working with or for a Federal laboratory.

(c) CONTENTS OF STUDY.—The study conducted under this section shall—

(1) provide for a thorough review of the effectiveness of the Advanced Technology Program (referred to in this section as the "Program") under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n);

(2) carry out a root cause analysis to determine—

(A) which aspects of the Program have been effective in stimulating the development of technology; and

(B) strategies used to conduct the Program that have failed; and

(3) examine alternative approaches to accomplish the purposes of the Program.

(d) REPORT.—Not later than 1 year after the Secretary of Commerce enters into contracts under subsection (a) for the conduct of the joint study under this section, the study panel established under subsection (b) shall prepare, and submit to the Secretary of Commerce, for transmittal to the President and Congress, a study that includes the findings of the panel with respect to the results of the study.

SEC. 15. OFFICE OF AIR AND SPACE COMMERCIALIZATION.

(a) ESTABLISHMENT.—There is established within the Department of Commerce an Office of Air and Space Commercialization (referred to in this section as the "Office").

(b) DIRECTOR.—The Office shall be headed by a Director, who shall be a senior executive and shall be compensated at a level in the Senior Executive Service under section 5382 of title 5, United States Code, as determined by the Secretary of Commerce.

(c) FUNCTIONS OF THE OFFICE; DUTIES OF THE DIRECTOR.—The Office shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce. The primary responsibilities of the Director, in carrying out the functions of the Office, shall include—

(1) promoting commercial provider investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in the efforts of those providers to conduct business with the United States Government;

(3) acting as an industry advocate within the executive branch of the Federal Government to ensure that the Federal Government meets the space-related requirements of the Federal Government, to the fullest extent feasible, with respect to commercially available space goods and services;

(4) ensuring that the United States Government does not compete with United States commercial providers in the provision of space hardware and services otherwise available from United States commercial providers;

(5) promoting the export of space-related goods and services;

(6) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce; and

(7) seeking the removal of legal, policy, and institutional impediments to space commerce.

SEC. 16. EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE TECHNOLOGY.

(a) IN GENERAL.—Section 5 of the Stevenson Wyder Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended by adding at the end the following:

"(f) EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE TECHNOLOGY.—

"(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish a program to be known as the Experimental Program to Stimulate Competitive Technology (referred to in this subsection as the "program"). The purpose of the program shall be to strengthen the technological competitiveness of those States that have historically received less Federal research and development funds than those received by a majority of the States.

"(2) ARRANGEMENTS.—In carrying out the program, the Secretary, acting through the Under Secretary, shall—

"(A) enter into such arrangements as may be necessary to provide for the coordination of the program through the State committees established under the Experimental Program to Stimulate Competitive Research of the National Science Foundation; and

"(B) cooperate with—

"(i) any State science and technology council established under the program under subparagraph (A); and

"(ii) representatives of small business firms and other appropriate technology-based businesses.

"(3) GRANTS.—In carrying out the program, the Secretary, acting through the Under Secretary, may make grants or enter into cooperative agreements to provide, for—

"(A) technology research and development;

"(B) technology transfer from university research;

"(C) technology deployment and diffusion; and

"(D) the strengthening of technological capabilities through consortia comprised of—

- "(i) technology-based small business firms;
- "(ii) industries and emerging companies;
- "(iii) universities; and
- "(iv) State and local development agencies and entities.

"(4) REQUIREMENTS FOR MAKING AWARDS.—

"(A) IN GENERAL.—In making grant awards under this subsection, the Secretary, acting through the Under Secretary, shall ensure that the awards are awarded on a competitive basis that includes a review of the merits of the activities that are the subject of the award.

"(B) MATCHING REQUIREMENT.—The non-Federal share of the activities (other than planning activities) carried out under a grant under this subsection shall be not less than 25 percent of the cost of those activities.

"(5) CRITERIA FOR STATES.—With respect to States that participate in the program, the Secretary, acting through the Under Secretary, shall establish criteria for achievement by each State that participates in the program. Upon the achievement of all such criteria, a State shall cease to be eligible to participate in the program.

"(6) COORDINATION.—To the extent practicable, in carrying out this section, the Secretary, acting through the Under Secretary, shall coordinate the program with other programs of the Department of Commerce.

"(7) REPORT.—

"(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Technology Administration Authorization Act for Fiscal Years 1998 and 1999, the Under Secretary shall prepare and submit a report that meets the requirements of this paragraph to the Secretary. Upon receipt of the report, the Secretary shall transmit a copy of the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

"(B) REQUIREMENTS FOR REPORT.—The report prepared under this paragraph shall contain with respect to the program—

"(i) a description of the structure and procedures of the program;

"(ii) a management plan for the program;

"(iii) a description of the merit-based review process to be used in the program;

"(iv) milestones for the evaluation of activities to be assisted under the program in each of fiscal years 1998 and 1999;

"(v) an assessment of the eligibility of each State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation to participate in the program under this subsection; and

"(vi) the evaluation criteria with respect to which the overall management and effectiveness of the program will be evaluated pursuant to paragraph (8).

"(8) EVALUATION.—Not earlier than the date that is 4 years after the date on which the program is established, the Secretary, acting through the Under Secretary, shall carry out an evaluation of the program. In carrying out the evaluation the Secretary, acting through the Under Secretary, shall apply the criteria described in paragraph (7)(B)(vi)."

(b) FUNDING.—Of the amounts made available by appropriations pursuant to section 4—

(1) for fiscal year 1998, \$1,650,000 shall be used to carry out the Experimental Program to Stimulate Competitive Technology established under section 5(f) of the Stevenson

Wydler Technology Innovation Act of 1980, as added by subsection (a) of this section; and

(2) for fiscal year 1999, \$3,000,000 shall be used to carry out the program referred to in paragraph (1).

SEC. 17. FEDERAL AVIATION ADMINISTRATION AS ALTERNATIVE QUALITY AUTHORITY.

Any fastener used on an aircraft or component, system, subassembly, or part of an aircraft that has been manufactured or altered by, or under the direction and control of, the holder of a Type Certificate, Production Certificate, Parts Manufacturer Approval, or Technical Standard Order Authorization issued by the Federal Aviation Administration, or manufactured or altered subject to a quality assurance program approved by the Federal Aviation Administration, is deemed to comply with the provisions of the Fastener Quality Act (15 U.S.C. 1501 et seq.) and any regulation issued thereunder.

SEC. 18. INTERNATIONAL ARCTIC RESEARCH CENTER.

There are authorized to be appropriated \$5,000,000 for each of fiscal years 1999 and 2000 for the Federal share of the administrative costs of the International Arctic Research Center.

Mr. GORTON. Mr. President, I ask unanimous consent that the committee amendments be agreed to.

The committee amendments were agreed to.

AMENDMENTS NOS. 3486 AND 3487, EN BLOC

Mr. GORTON. Mr. President, I understand Senator FRIST has two amendments at the desk, and I ask for their consideration en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for Mr. FRIST, proposes amendments numbered 3486 and 3487, en bloc.

Mr. GORTON. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 3486

(Purpose: To make minor and technical corrections in the bill as reported, and for other purposes)

On page 11, line 2, after "receives" insert "from the government".

On page 11 strike lines 5 through 7 and insert the following: "shall not exceed one-third of the total costs of operation of a center under the program."

On page 26 strike lines 6 through 18 and insert the following:

SEC. 17. FASTENER QUALITY ACT STANDARDS.

(a) AMENDMENT.—Section 15 of the Fastener Quality Act (15 U.S.C. 5414) is amended—

(1) by inserting "(a) TRANSITIONAL RULE.—" before "The requirements of this Act"; and

(2) by adding at the end the following new subsection:

"(b) AIRCRAFT EXEMPTION.—

"(1) IN GENERAL.—The requirements of this Act shall not apply to fasteners specifically manufactured or altered for use on an aircraft if the quality and suitability of those fasteners for that use has been approved by the Federal Aviation Administration, except as provided in paragraph (2).

"(2) EXCEPTION.—Paragraph (1) shall not apply to fasteners represented by the fastener manufacturer as having been manufactured in conformance with standards or specifications established by a consensus standards organization or a Federal agency other than the Federal Aviation Administration."

(b) DELAYED IMPLEMENTATION OF REGULATIONS.—The regulations issued under the Fastener Quality Act by the National Institute of Standards and Technology on April 14, 1998, and any other regulations issued by the National Institute of Standards and Technology pursuant to the Fastener Quality Act, shall not take effect until after the later of June 1, 1999, or the expiration of 120 days after the Secretary of Commerce transmits to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act;

(2) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and

(3) any changes in that Act that may be warranted because of the changes reported under paragraphs (1) and (2).

The report required by this section shall be transmitted to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, by February 1, 1999.

AMENDMENT NO. 3487

On page 17, strike lines 11 through 15.

Mr. GORTON. Mr. President, I ask unanimous consent that the amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 3486 and 3487) were agreed to.

AMENDMENT NO. 3488

Mr. GORTON. Mr. President, I ask for the immediate consideration of Senator MCCAIN's amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for Mr. MCCAIN, proposes an amendment numbered 3488.

Mr. GORTON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 11, after line 13, insert the following:

"(F) Environmental technology providers."

Mr. GORTON. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3488) was agreed to.

Mr. GORTON. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, as amended; that the motion to reconsider be laid upon the table; that the title amendment be agreed to; and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1325), as amended, was considered read the third time and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Technology Administration Authorization Act for Fiscal Years 1998, 1999, and 2000".

SEC. 2. DEFINITIONS.

In this title:

(1) DIRECTOR.—The term "Director" means the Director of the National Institute of Standards and Technology.

(2) MAJOR REORGANIZATION.—With respect to the National Institute of Standards and Technology, the term "major reorganization" means any reorganization of the Institute that involves the reassignment of more than 25 percent of the employees of the National Institute of Standards and Technology.

(3) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.

(a) LABORATORY ACTIVITIES.—There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the Scientific and Technical Research and Services laboratory activities of the National Institute of Standards and Technology—

(1) \$271,900,000 for fiscal year 1998;

(2) \$287,658,000 for fiscal year 1999; and

(3) \$296,287,000 for fiscal year 2000.

(b) CONSTRUCTION AND MAINTENANCE.—

(1) IN GENERAL.—There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for construction and maintenance of facilities of the National Institute of Standards and Technology—

(A) \$95,000,000 for fiscal year 1998;

(B) \$67,000,000 for fiscal year 1999; and

(C) \$56,700,000 for fiscal year 2000.

(2) PROHIBITION.—None of the funds authorized by paragraph (1)(B) for construction of facilities may be obligated unless the Secretary of Commerce has certified to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives that the obligation of funds is consistent with a plan for meeting the needs of the facilities of the National Institute of Standards and Technology that the Secretary has transmitted to those committees.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE OFFICE OF THE UNDER SECRETARY FOR TECHNOLOGY.

There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the activities of the Under Secretary for Technology, the Office of Technology Policy, and the Office of Air and Space Commercialization (as established under section 415 of this title)—

(1) \$8,500,000 for fiscal year 1998;

(2) \$10,807,400 for fiscal year 1999; and

(3) \$11,132,000 for fiscal year 2000.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR INDUSTRIAL TECHNOLOGY SERVICES.

There are authorized to be appropriated to the Department of Commerce for use by the Secretary of Commerce for the industrial technology services activities of the National Institute of Standards and Technology—

(1) \$306,000,000 for fiscal year 1998, of which—

(A) \$192,500,000 shall be for the Advanced Technology Program under section 28 of the

National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$113,500,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l);

(2) \$318,371,000 for fiscal year 1999, of which—

(A) \$204,000,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$114,371,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l); and

(3) \$324,491,000 for fiscal year 2000, of which—

(A) \$210,120,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$114,371,000 shall be for the manufacturing extension partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

SEC. 6. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT AMENDMENTS.

(a) AMENDMENTS.—Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “(A)” after “(1)”; and

(ii) by inserting “and be of a nature and scope that would not be pursued in a timely manner without Federal assistance” after “technical merit”; and

(iii) by adding at the end the following:

“(B) Each applicant for a contract or award under the Program shall certify that the applicant has made an effort to secure private market funding for the research project involved. That certification shall include a written narrative description of the efforts made by the applicant to secure that funding.”; and

(b) by adding at the end the following:

“(12) A large business may participate in a research project that is the subject of a contract or award under paragraph (3) only as a member of a joint venture that includes 1 or more small businesses as members.”;

(2) in subsection (j)—

(A) by striking “and” at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (5); and

(C) by inserting after paragraph (1) the following:

“(2) the term ‘large business’ means a business that—

“(A) is not a small business; and

“(B) has gross annual revenues in an amount greater than \$2,500,000,000;

“(3) the term ‘medium business’ means a business that—

“(A) is not a small business; and

“(B) has gross annual revenues in an amount less than or equal to \$2,500,000,000;

“(4) the term ‘small business’ means a small business concern, as described in section 3(a)(1) of the Small Business Act (15 U.S.C. 632(a)(1)); and”;

(3) by redesignating subsection (j) as subsection (m); and

(4) by inserting after subsection (i) the following:

“(j) Notwithstanding subsection (b)(1)(B) and subsection (d)(3), the Director may grant an extension beyond the applicable deadline specified in subsection (b)(1)(B) or (d)(3) for a joint venture or single applicant recipient of assistance to expend Federal funds to com-

plete the project assisted with that assistance, if that extension—

“(1) is granted with no additional cost to the Federal Government; and

“(2) is in the interest of the Federal Government.”

“(k)(1) The Secretary, acting through the Director, may vest title to tangible personal property in any recipient of financial assistance under this section if—

“(A) the property is purchased with funds provided under this section; and

“(B) the Secretary, acting through the Director, determines that the vesting of such property furthers the objectives of the Institute.”

“(2) Vesting under this subsection shall—

“(A) be subject to such limitations as are prescribed by the Secretary, acting through the Director; and

“(B) be made without further obligation to the United States Government.”

In carrying out this section, the Secretary, acting through the Director, shall ensure that the requirements of Circular No. A-110 issued by the Office of Management and Budget are met with respect to the valuation of cost-share items used by participants in the Program.

“(l) AWARDS BASED ON COMPETITION.—All amounts appropriated for grants under subsection (b) for fiscal years beginning after the date of enactment of the Technology Administration Authorization Act for Fiscal Years 1998, 1999, and 2000 shall be used for grants awarded on the basis of general open competition.”

(b) ADDITIONAL AMENDMENT.—

(1) IN GENERAL.—Section 28(d)(11)(A) of the National Institute of Standards and Technology Act (15 U.S.C. 278n(d)(11)(A)) is amended by striking the period at the end of the first sentence and inserting the following: “or any other university or nonprofit awardee or subawardee (as those terms are defined by the Secretary) receiving financial assistance under this section, as agreed by the parties, notwithstanding the requirements of chapter 18 of title 35, United States Code.”

(2) APPLICABILITY.—The amendment made by this subsection shall apply only with respect to assistance for which solicitations for proposals are made after the date of enactment of this title.

SEC. 7. MANUFACTURING EXTENSION PARTNERSHIP PROGRAM CENTER EXTENSION.

Section 25(c)(5) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(c)(5)) is amended by striking “, which are designed” and all that follows through “operation of a Center.” and inserting “After the sixth year, a Center may receive additional financial support under this section if that Center has received a positive evaluation through a review, under procedures and criteria established by the Institute. The review referred to in the preceding sentence shall be required not later than 2 years after the sixth year, and not less frequently than every 2 years thereafter. The funding received by a Center for a fiscal year under this section after the sixth year of operation shall be for capital and annual operating expenses and maintenance costs. The proportion of funding that the Center receives from the Government after the sixth year of operation from funds made available to carry out this section for the costs referred to in the preceding sentence shall not exceed one-third of the total costs of operation of a center under the program.”

SEC. 8. MALCOLM BALDRIGE NATIONAL QUALITY AWARD.

Section 17(c)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C.

3711a(c)(1)) is amended by adding at the end the following:

“(D) Health care providers.

“(E) Education providers.

“(F) Environmental technology providers.”

SEC. 9. NEXT GENERATION INTERNET.

(a) IN GENERAL.—Except as provided in subsection (b), none of the funds authorized by this title, or any other Act enacted before the date of enactment of this Act, may be used for the programs and activities for the Internet project known as the “Next Generation Internet”.

(b) EXCEPTION.—Notwithstanding subsection (a), funds described in that subsection may be used for the continuation of programs and activities related to Next Generation Internet that were funded and carried out during fiscal year 1997.

SEC. 10. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds appropriated pursuant to the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Committees on Appropriations of the Senate and the House of Representatives, notice of that action shall concurrently be provided to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

(b) NOTICE OF REORGANIZATION.—Not later than 15 days before any major reorganization of any program, project, or activity of the National Institute of Standards and Technology, the Director shall provide notice to the Committees on Commerce, Science, and Transportation and Appropriations of the Senate and the Committees on Science and Appropriations of the House of Representatives.

SEC. 11. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 rapidly approaching, it is the sense of Congress that the Director should—

(1) give high priority to correcting all 2-digit date-related problems in the computer systems of the National Institute of Standards and Technology to ensure that those systems continue to operate effectively in the year 2000 and in subsequent years;

(2) as soon as practicable after the date of enactment of this title, assess the extent of the risk to the operations of the National Institute of Standards and Technology posed by the problems referred to in paragraph (1), and plan and budget for achieving compliance for all of the mission-critical systems of the system by the year 2000; and

(3) develop contingency plans for those systems that the National Institute of Standards and Technology is unable to correct by the year 2000.

SEC. 12. ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS.

(a) DEFINITIONS.—In this section—

(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term “educationally useful Federal equipment” means computers and related peripheral tools and research equipment that is appropriate for use in schools.

(2) SCHOOL.—The term “school” means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

(b) SENSE OF CONGRESS—

(1) IN GENERAL.—It is the sense of Congress that the Director should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

(2) REPORTS—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Director shall prepare and submit to the President a report. The President shall submit the report to Congress at the same time as the President submits a budget request to Congress under section 1105(a) of title 31, United States Code.

(B) CONTENTS OF REPORT.—The report prepared by the Director under this paragraph shall describe any donations of educationally useful Federal equipment to schools made during the period covered by the report.

SEC. 13. TEACHER SCIENCE AND TECHNOLOGY ENHANCEMENT INSTITUTE PROGRAM.

(a) IN GENERAL.—The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by inserting after section 19 the following:

“SEC. 19A. (a) The Director shall establish within the Institute a teacher science and technology enhancement program.

“(b) The purpose of the program under this section shall be to provide for professional development of mathematics and science teachers of elementary, middle, and secondary schools (as those terms are defined by the Director), including providing for the improvement of those teachers with respect to the teaching of science—

“(1) teaching strategies;

“(2) self-confidence; and

“(3) the understanding of science and the impacts of science on commerce.

“(c) In carrying out the program under this section, the Director shall focus on the areas of—

“(1) scientific measurements;

“(2) tests and standards development;

“(3) industrial competitiveness and quality;

“(4) manufacturing;

“(5) technology transfer; and

“(6) any other area of expertise of the Institute that the Director determines to be appropriate.

“(d) The Director shall develop and issue procedures and selection criteria for participants in the program. Each such participant shall be a teacher described in subsection (b).

“(e) The Director shall issue awards under the program to participants. In issuing the awards, the Director shall ensure that the maximum number of participants practicable participate in the program. In order to ensure a maximum level of participation of participants, the program under this section shall be conducted on an annual basis during the summer months, during the period of time when a majority of elementary, middle, and secondary schools have not commenced a school year.

“(f) The program shall provide for teachers participation in activities at the Institute laboratory facilities of the Institute.”

(b) AVAILABILITY OF FUNDS.—The following amounts of the funds made available by appropriations pursuant to section 3(a) shall be used to carry out the teacher science and technology enhancement program under section 19A of the National Institute of Standards and Technology, as added by subsection (a) of this section:

- (1) \$1,500,000 for fiscal year 1998.
- (2) \$2,500,000 for fiscal year 1999.

SEC. 14. JOINT STUDY BY THE NATIONAL ACADEMY OF SCIENCE AND THE NATIONAL ACADEMY OF ENGINEERING.

(a) CONTRACT.—Not later than 90 days after the date of enactment of this title, the Secretary of Commerce shall enter into a contract with the National Academy of Science and the National Academy of Engineering to provide for a joint study to be conducted by those academies under this section.

(b) STUDY PANEL.—In carrying out the study under this section, the appropriate officials of the National Academy of Science and the National Academy of Engineering shall establish a study panel. The members appointed to the study panel shall include—

(1) industry and labor leaders;

(2) entrepreneurs;

(3) individuals who—

(A) have previously served as government officials; and

(B) have recognized expertise and experience with respect to civilian research and technology; and

(4) individuals with recognized expertise and experience with respect to science and technology, including individuals who have had experience working with or for a Federal laboratory.

(c) CONTENTS OF STUDY.—The study conducted under this section shall—

(1) provide for a thorough review of the effectiveness of the Advanced Technology Program (referred to in this section as the “Program”) under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n);

(2) carry out a root cause analysis to determine—

(A) which aspects of the Program have been effective in stimulating the development of technology; and

(B) strategies used to conduct the Program that have failed; and

(3) examine alternative approaches to accomplish the purposes of the Program.

(d) REPORT.—Not later than 1 year after the Secretary of Commerce enters into contracts under subsection (a) for the conduct of the joint study under this section, the study panel established under subsection (b) shall prepare, and submit to the Secretary of Commerce, for transmittal to the President and Congress, a study that includes the findings of the panel with respect to the results of the study.

SEC. 15. OFFICE OF AIR AND SPACE COMMERCIALIZATION.

(a) ESTABLISHMENT.—There is established within the Department of Commerce an Office of Air and Space Commercialization (referred to in this section as the “Office”).

(b) DIRECTOR.—The Office shall be headed by a Director, who shall be a senior executive and shall be compensated at a level in the Senior Executive Service under section 5382 of title 5, United States Code, as determined by the Secretary of Commerce.

(c) FUNCTIONS OF THE OFFICE; DUTIES OF THE DIRECTOR.—The Office shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce. The primary responsibilities of the Director, in carrying out the functions of the Office, shall include—

(1) promoting commercial provider investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in the efforts of those providers to conduct business with the United States Government;

(3) acting as an industry advocate within the executive branch of the Federal Government to ensure that the Federal Government meets the space-related requirements of the Federal Government, to the fullest extent feasible, with respect to commercially available space goods and services;

(4) ensuring that the United States Government does not compete with United States commercial providers in the provision of space hardware and services otherwise available from United States commercial providers;

(5) promoting the export of space-related goods and services;

(6) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce; and

(7) seeking the removal of legal, policy, and institutional impediments to space commerce.

SEC. 16. EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE TECHNOLOGY.

(a) IN GENERAL.—Section 5 of the Stevenson Wylder Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended by adding at the end the following:

“(f) EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE TECHNOLOGY.—

“(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish a program to be known as the Experimental Program to Stimulate Competitive Technology (referred to in this subsection as the ‘program’). The purpose of the program shall be to strengthen the technological competitiveness of those States that have historically received less Federal research and development funds than those received by a majority of the States.

“(2) ARRANGEMENTS.—In carrying out the program, the Secretary, acting through the Under Secretary, shall—

“(A) enter into such arrangements as may be necessary to provide for the coordination of the program through the State committees established under the Experimental Program to Stimulate Competitive Research of the National Science Foundation; and

“(B) cooperate with—

“(i) any State science and technology council established under the program under subparagraph (A); and

“(ii) representatives of small business firms and other appropriate technology-based businesses.

“(3) GRANTS.—In carrying out the program, the Secretary, acting through the Under Secretary, may make grants or enter into cooperative agreements to provide, for—

“(A) technology research and development;

“(B) technology transfer from university research;

“(C) technology deployment and diffusion; and

“(D) the strengthening of technological capabilities through consortia comprised of—

“(i) technology-based small business firms;

“(ii) industries and emerging companies;

“(iii) universities; and

“(iv) State and local development agencies and entities.

“(4) REQUIREMENTS FOR MAKING AWARDS.—

“(A) IN GENERAL.—In making grant awards under this subsection, the Secretary, acting through the Under Secretary, shall ensure that the awards are awarded on a competitive basis that includes a review of the merits of the activities that are the subject of the award.

“(B) MATCHING REQUIREMENT.—The non-Federal share of the activities (other than planning activities) carried out under a grant under this subsection shall be not less than 25 percent of the cost of those activities.

“(5) CRITERIA FOR STATES.—With respect to States that participate in the program, the Secretary, acting through the Under Secretary, shall establish criteria for achievement by each State that participates in the program. Upon the achievement of all such criteria, a State shall cease to be eligible to participate in the program.

“(6) COORDINATION.—To the extent practicable, in carrying out this section, the Secretary, acting through the Under Secretary,

shall coordinate the program with other programs of the Department of Commerce.

“(7) REPORT.—

“(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Technology Administration Authorization Act for Fiscal Years 1998 and 1999, the Under Secretary shall prepare and submit a report that meets the requirements of this paragraph to the Secretary. Upon receipt of the report, the Secretary shall transmit a copy of the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

“(B) REQUIREMENTS FOR REPORT.—The report prepared under this paragraph shall contain with respect to the program—

“(i) a description of the structure and procedures of the program;

“(ii) a management plan for the program;

“(iii) a description of the merit-based review process to be used in the program;

“(iv) milestones for the evaluation of activities to be assisted under the program in each of fiscal years 1998 and 1999;

“(v) an assessment of the eligibility of each State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation to participate in the program under this subsection; and

“(vi) the evaluation criteria with respect to which the overall management and effectiveness of the program will be evaluated pursuant to paragraph (8).

“(8) EVALUATION.—Not earlier than the date that is 4 years after the date on which the program is established, the Secretary, acting through the Under Secretary, shall carry out an evaluation of the program. In carrying out the evaluation the Secretary, acting through the Under Secretary, shall apply the criteria described in paragraph (7)(B)(vi).”

(b) FUNDING.—Of the amounts made available by appropriations pursuant to section 4—

(1) for fiscal year 1998, \$1,650,000 shall be used to carry out the Experimental Program to Stimulate Competitive Technology established under section 5(f) of the Stevenson Wylder Technology Innovation Act of 1980, as added by subsection (a) of this section; and

(2) for fiscal year 1999, \$3,000,000 shall be used to carry out the program referred to in paragraph (1).

SEC. 17. FASTENER QUALITY ACT STANDARDS.

(a) AMENDMENT.—Section 15 of the Fastener Quality Act (15 U.S.C. 5414) is amended—

(1) by inserting “(a) TRANSITIONAL RULE.—” before “The requirements of this Act”; and

(2) by adding at the end the following new subsection:

“(b) AIRCRAFT EXEMPTION.—

“(1) IN GENERAL.—The requirements of this Act shall not apply to fasteners specifically manufactured or altered for use on an aircraft if the quality and suitability of those fasteners for that use has been approved by the Federal Aviation Administration, except as provided in paragraph (2).

“(2) EXCEPTION.—Paragraph (1) shall not apply to fasteners represented by the fastener manufacturer as having been manufactured in conformance with standards or specifications established by a consensus standards organization or a Federal agency other than the Federal Aviation Administration.”

(b) DELAYED IMPLEMENTATION OF REGULATIONS.—The regulations issued under the Fastener Quality Act by the National Institute of Standards and Technology on April 14, 1998, and any other regulations issued by the National Institute of Standards and

Technology pursuant to the Fastener Quality Act, shall not take effect until after the later of June 1, 1999, or the expiration of 120 days after the Secretary of Commerce transmits to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act;

(2) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and

(3) any changes in that Act that may be warranted because of the changes reported under paragraphs (1) and (2).

The report required by this section shall be transmitted to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, by February 1, 1999.

SEC. 18. INTERNATIONAL ARCTIC RESEARCH CENTER.

There are authorized to be appropriated \$5,000,000 for each of fiscal years 1999 and 2000 for the Federal share of the administrative costs of the International Arctic Research Center.

The title was amended so as to read:

A Bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998, 1999, and 2000, and for other purposes.

FASTENER QUALITY ACT AMENDMENTS

Mr. GORTON. I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 498, H.R. 3824.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3824) amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 3824

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENT.

Section 15 of the Fastener Quality Act (15 U.S.C. 5414) is amended—

(1) by inserting “(a) TRANSITIONAL RULE.—” before “The requirements of this Act”; and

(2) by adding at the end the following new subsection:

“(b) AIRCRAFT EXEMPTION.—

“(1) IN GENERAL.—The requirements of this Act shall not apply to fasteners specifically manufactured or altered for use on an aircraft if the quality and suitability of those fasteners for that use has been approved by the Federal Aviation Administration, except as provided in paragraph (2).

“(2) EXCEPTION.—Paragraph (1) shall not apply to fasteners represented by the fastener manufacturer as having been manufactured in conformance with standards or specifications established by a consensus standards organization or a Federal agency other than the Federal Aviation Administration.”

SEC. 2. DELAYED IMPLEMENTATION OF REGULATIONS.

The regulations issued under the Fastener Quality Act by the National Institute of Standards and Technology on April 14, 1998, and any other regulations issued by the National Institute of Standards and Technology pursuant to the Fastener Quality Act, shall not take effect until after the later of June 1, 1999, or the expiration of 120 days after the Secretary of Commerce transmits to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) changes in fastener manufacturing processes that have occurred since the enactment of the Fastener Quality Act; [and]

(2) a comparison of the Fastener Quality Act to other regulatory programs that regulate the various categories of fasteners, and an analysis of any duplication that exists among programs; and

[(2)] (3) any changes in that Act that may be warranted because of the changes reported under [paragraph (1).] paragraphs (1) and (2).

The report required by this section shall be transmitted to the Committee on Science and the Committee on Commerce of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, by February 1, 1999.

Mr. GORTON. I ask unanimous consent that the committee amendments be agreed to, the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (H.R. 3824), as amended, was considered read the third time and passed.

FINDING THE GOVERNMENT OF IRAQ IN UNACCEPTABLE AND MATERIAL BREACH OF ITS INTERNATIONAL OBLIGATIONS

Mr. GORTON. I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 499, S.J. Res. 54.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 54) finding the Government of Iraq in unacceptable and material breach of its international obligations.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Foreign Relations, with amendments to the preamble; as follows:

(The parts of the preamble intended to be stricken are shown in boldface